

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

March 29, 2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR. 05-00261HG

CASE NAME: U.S.A. vs. (01) JAMES TROIANO, aka "John Klatt"

ATTYS FOR PLA: Clare E. Connors
Wes R. Porter
Brian Johnson, Case Agent, HPD

ATTYS FOR DEFT: Todd W. Eddins

INTERPRETER:

JUDGE: Helen Gillmor

REPORTER: Lisa Groulx

DATE: March 29, 2006

TIME: 10:00 - 11:05

COURT ACTION: - MOTION TO WITHDRAW AS COUNSEL FOR
 DEFENDANT (01) JAMES TROIANO
 - UNITED STATES' MOTION IN LIMINE TO
 EXCLUDE SOME OF DEFENDANT TROIANO'S RULE
 404(B) EVIDENCE

The Defendant is present in custody.

The Court directed the government's attorneys, case agent and spectators to vacate the courtroom.

The Court conducted a thorough colloquy, inquiring into the defendant's concerns with counsel. Defense Counsel's Motion to Withdraw as Counsel (Doc. 133) is **DENIED**.

Defendant stated his desire for additional time prior to trial. The Court found that, prior to trial, there was sufficient time to explore the issues raised. Defendant's Oral Motion for Continuance of Trial is **DENIED**.

The Government's attorneys, case agent and spectators returned to the courtroom.

The Court informed the parties that the trial regarding Defendant (01) James Troiano, aka "John Klatt", will proceed on April 4, 2006.

Arguments held regarding "United States' Motion in Limine To Exclude Some of Defendant Troiano's Rule 404(b) Evidence" (Doc. 132). The Government filed the motion in response to "Defendant's Notice Pursuant to Federal Rule of Evidence 404(B)" in which Defendant provided notice of his intention to offer evidence of certain prior convictions and other prior bad acts of Government witness, Tony Esparza.

"United States's Motion in Limine To Exclude Some of Defendant Troiano's Rule 404(b) Evidence" (Doc. 132) is **GRANTED**.

The Government has properly set forth Fed. R. Evid. 608 and 609 as the applicable Rules of Evidence. Troiano may introduce evidence of Esparza's prior criminal convictions as provided by Fed. R. Evid. 609. Troiano may also introduce evidence of Esparza's character for truthfulness or untruthfulness as provided by Fed. R. Evid. 608.

Submitted by: David H. Hisashima, Courtroom Manager

cc: The above-listed attorneys
Judge Gillmor's chambers